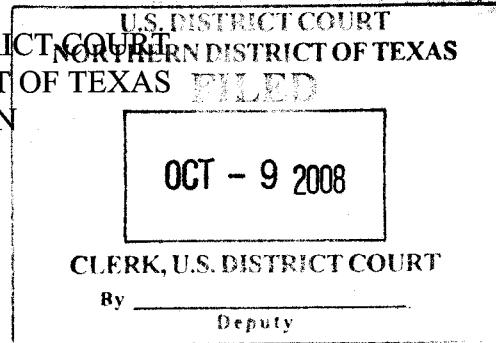


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



JAVIER RODRIGUEZ CARBAJAL,

Petitioner,

v.

NATHANIEL QUARTERMAN, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

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2:07-CV-0278


ORDER ADOPTING REPORT AND RECOMMENDATION
and DENYING PETITION FOR A WRIT OF HABEAS CORPUS

Petitioner has filed with this Court a petition for a federal writ of habeas corpus. On September 12, 2008, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the instant habeas application be denied. As of this date, no objections to the Magistrate Judge's Report and Recommendation have been filed of record.

Having made an independent examination of the record in this case, the undersigned United States District Judge is of the opinion the Magistrate Judge's Report and Recommendation should be, and hereby is, ADOPTED. Accordingly, the petition for a writ of habeas corpus is hereby DENIED.

IT IS SO ORDERED.

ENTERED this 9th day of October 2008.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE